

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GERALD BUSH	:	CIVIL ACTION
v.	:	
DISTRICT ATTORNEY OF	:	
PHILADELPHIA, et. al.	:	NO. 07-cv-5519

**MEMORANDUM AND ORDER**

Petitioner, Gerald Bush, has filed a petition in this court seeking Habeas Corpus relief pursuant to 28 U.S.C. §2241. In this petition, Mr. Bush raises claims related to a decision of the Family Court of Philadelphia County; Mr. Bush claims that that court has restricted his visitation privileges with his minor children, and further alleges that his children are subject to wrongful adoption, lack of medical treatment, and general neglect, including battered child syndrome, amongst other claims.

Such relief is not available under the terms of 28 U.S.C. §2241, as the Family Court judgment that Mr. Bush attacks is not criminal in nature.

Additionally, Mr. Bush has failed to pay the required five dollar filing fee.

Accordingly, this                      Day of January, 2008, it is hereby

**ORDERED** that petitioner is granted **provisional** leave to proceed in forma pauperis, for the purpose of **this Order only**, and, it is further

**ORDERED** that the instant civil action is **DISMISSED WITH PREJUDICE**, and, it is further

**ORDERED** that the Clerk shall mark this matter as **CLOSED** for all purposes, including statistics.

**s/ ROBERT F. KELLY**

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**ROBERT F. KELLY, U.S. District Judge**